

Remarks

The application has been reviewed in light of the Office Action dated January 24, 2005. Claims 1, 3, 7 and 10-12 have been amended by the foregoing amendments. Non-elected claim 9 has been cancelled. No new matter is introduced by the amendments.

The Examiner has objected to the drawings under 37 CFR 1.83(a) because of failure to show every feature of the invention specified in the claims. The Examiner has further stated that the weight measuring device (in claim 11) and electronic scale (in claim 12) must be shown. FIG. 2 of the replacement drawing sheet now indicates electronic scale 17 as an example of the weight measuring device. No new matter is introduced by this amendment.

The Examiner has rejected claim 7 under 35 U.S.C. 112, first paragraph, as failing to comply with either the written description requirement or the enablement requirement. The Examiner has further stated that it is not understood as to how the claimed function of anti-static treatment is accomplished absent some material and/or process to arrive at the claimed function of being anti-static.

Claim 7 has been amended by the foregoing amendments, and it now requires that the funnel be formed of a plastic material with an anti-static property. Applicant respectfully submits that such a plastic material having an antistatic property (that is, having a property reducing, removing, or preventing the buildup of static electricity) is well known by a person of ordinary skilled in the art. See, for example, Hornady powder funnel (Item No. HN586050) at page 2 of the Hornady Products information (<http://precisionreloading.com/hornadyproducts.htm>) enclosed with the Supplemental Information Disclosure Statement filed along with this response. It is respectfully sub-

mitted that this product and other similar plastic powder funnel products having the antistatic property for preventing sticking of powder on the funnel were publicly available before filing of this invention. Accordingly, Applicant respectfully submits that the specification as originally filed provides a sufficient written description for enabling a person of ordinary skill in the art to make or use the product as claimed in claim 7. Therefore, claim 7 as amended satisfies the written description and enablement requirements under 35 U.S.C. 112, first paragraph.

The Examiner has rejected claims 3-4 and 10-12 under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 3-4 and 10-12 have been amended in accordance with the Examiner's suggestions, and Applicant respectfully submits that claims 3-4 and 10-12 as amended are now in the form satisfying the requirement under 35 U.S.C. 112, second paragraph.

The Examiner has rejected claims 1-5, 7 and 10 under 35 U.S.C. 102(b) as being anticipated by Minneman (U.S. Pat. No. 3,807,466).

Minneman discloses a funnel 10 for loading ammunition cartridges 36 with powder, the funnel 10 including a variety of interchangeable adapter tubes 15 connectable vertically with the funnel 10 for filling powder 37 to the cartridges 36 of various dimensions.

Minneman however fails to disclose or teach each and every element of any of claims 1-5, 7 and 10 of the invention. In particular, Minneman fails to disclose or teach that the bottom and side portions of the container have a generally pan-like shape configured to sit on a horizontal surface, as required by the claims of the invention. The Minneman device does not provide a container which has a generally pan-like shape configured to sit on a horizontal surface. Moreover, Minneman further fails to disclose or teach that the funnel portion and the spout portion of the funnel member extend

generally transversely from the side portion of the container such that powder or shots received within the container is able to flow out of the funnel when the funnel is inclined to a predetermined degree, as required by the claims of the invention. In the Minneman device, the interchangeable adapter tube 15 is connectable vertically to the funnel 10 for directly filling powder 37 to the cartridges 36 without requiring tilting the funnel 10 and the adapter tube 15.

Accordingly, in view of the foregoing, claims 1-5, 7 and 10 of the invention are patentably distinct over Minneman.

The Examiner has further rejected claims 1-8 and 10 under 35 U.S.C. 102(b) as being anticipated by Hanson (U.S. Pat. No. 3,670,928).

Hanson discloses a powder metering device 10 for loading powder, which includes a frame 12 with a funnel-like mouth 14, a slide 64 with a metering chamber 98, and a funnel plug 26 for filling metered powder to cartridges connected under the funnel plug 26.

Hanson however fails to disclose or teach each and every element of any of claims 1-8 and 10 of the invention. In particular, Hanson fails to disclose or teach that the bottom and side portions of the container have a generally pan-like shape configured to sit on a horizontal surface, as required by the claims of the invention. The Hanson device does not provide a container which has a generally pan-like shape configured to sit on a horizontal surface. Moreover, Hanson further fails to disclose or teach that the funnel portion and the spout portion of the funnel member extend generally transversely from the side portion of the container such that powder or shots received within the container is able to flow out of the funnel when the funnel is inclined to a predetermined degree, as required by the claims of the invention. In the Hanson de-

vice, the cartridge is vertically connected to the funnel plug 26 for filling metered powder to the cartridge without requiring tilting of the funnel plug 26 and the cartridge.

Accordingly, in view of the foregoing, claims 1-8 and 10 of the invention are patently distinct over Hanson.

Accordingly, Applicant submits that all of the claims currently pending in this application (i.e., claims 1-8 and 10-12) are now in condition for allowance. Favorable reconsideration and early notice to that effect is earnestly requested.

Respectfully submitted,



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Response to Official Action

In the Drawings

Please amend FIG. 2 of the drawings as indicated in the replacement sheet enclosed herein.



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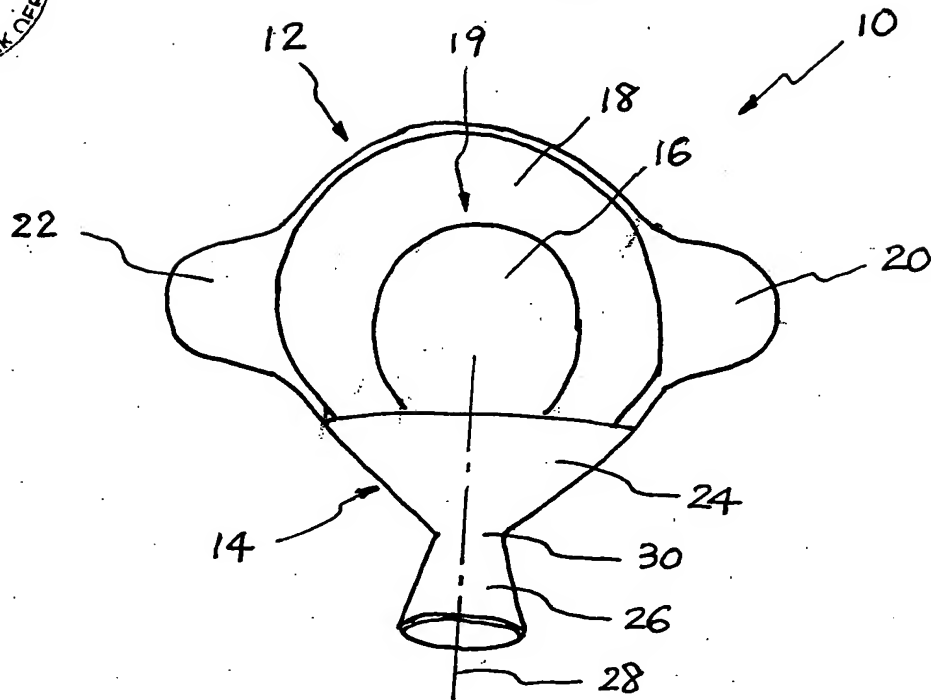


FIG. 1

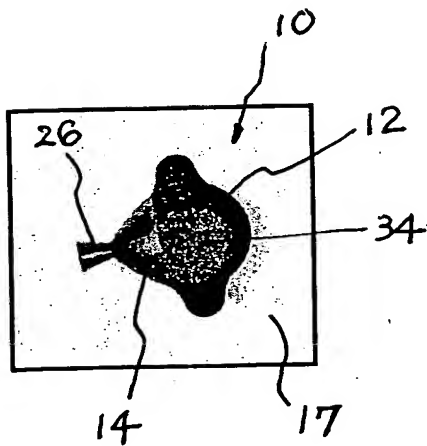


FIG. 2

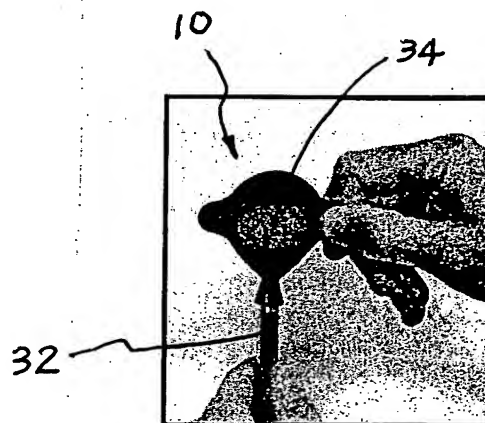


FIG. 3